

## REMARKS

In this Response, the applicant amends claims 1-4, 6, 7, 13, and 19. Accordingly, claims 1-19 are pending.

### A. Response to Rejections under 35 USC §112

In the Office Action the Examiner rejects claims 2-4 for being indefinite for clearly providing antecedent basis for "the soliciting element". Herein the applicant amends claims 2-4 to specifically address "the soliciting step" that was introduced in claim 1. The applicant believes that proper antecedent basis is now provided.

### B. Response to Rejections under 35 USC §101

In the Office Action the Examiner rejects claims 1-18 for lacking utility. The applicant believes that original claims 13-18 have sufficient patentable utility. For example, original independent claim 13 describes:

*displaying to the member system target projections indicative of target projections received from other members, target projections being a speculation of a value of an investment in the future;*

This step enables the member to understand how others in the member-system are predicating the value of the investment will move, and since the member has been presented other member information, the member is able to make informed decisions regarding how the value of the investment may move. Herein applicant also adds a similar "displaying" step to independent claim 1, and for same reasons, submits that amended claims 1-12 also recite patentable utility.

### **C. Response to Rejections under 35 USC §103**

In the Office Action the Examiner rejects claims 1-19 under 35 USC 103(a) as being unpatentable over US Patent 6,606,615 ("Jennings"), in view of US Patent 7,016,873 ("Peterson"), and further in view of US Publication 2002/0052820 ("Gatto").

#### **1. Independent Claim 1**

The applicant has amended independent claim 1 to make clear that the computerized method generates an initial skill-level rating for a member using the investment experience data for that member. The method receives a required target projection from that member, and the skill-level rating is adjusted according to the accuracy of the projection as compared to the actual performance of the investment. The method uses the current skill-level rating to filter the investment information, and displays target projection information for other members. Advantageously, the method of claim 1 allows a member to filter and display investment information filtered by the current skill-level rating associated with other members. This enables a member to parse and analyze the investment information in ways not possible in known systems, including the systems described in the references cited by the Examiner.

The applicant respectfully submits that amended claim 1 is not rendered obvious in view of the cited references. More specifically, the applicant submits that the Examiner will not be able to maintain a prima facie case of obviousness, as all the limitations of amended claim 1 cannot be found in any combination of the cited references.

For example, amended claim 1 has a limitation directed to adjusting the initial skill-level rating by comparing the target projection to the actual performance of the investment. In rejection original claim 1, the Examiner cited to Jennings (24:36 to 25:36). However, this section does not address adjusting an initial rating as claimed, but uses an "uncertainty" factor, which is input by a user, to modify a ranking process

for individual prediction events. The applicant submits that a ranking system is very different from a rating system. By way of example, an investor may be highly ranked, but if the pool of investors are weak, even the top ranked investor's predictions may be of little value. In a similar manner, a low-ranked investor's prediction may be quite valuable if the pool of investor's is highly experienced. Thus, in the claimed invention, the adjusted skill-level rating is key to the method's value and practicality. By having a rating that is an indicator of both initial experience level, as well as proven prediction performance, an investor-member is better able to determine how much value to place on a member or members predictions.

Also, no cited reference discloses a system the filter's investment according to members' current skill level rating. Although this is a new limitation for claim 1, the Examiner cited to Jennings (21:48 to 22:15) when rejecting claim 7, which has a similar limitation. However, the cite to Jennings does not disclose the filtering of investment data as claimed, but discloses how a member can get access to more services by paying additional fees or charges. In this way, the cited section does not address filtering investment information at all, and further does not disclose using a current skill-level rating as a factor in filtering.

As described above, the applicant respectfully submits that the cited references do not have at least two of the limitations of amended claim 1, and therefore is not rendered obvious. Accordingly, the applicant believes that claim 1, and its dependent claims 2-12, are allowable over the cited art.

## 2. Independent Claim 13

The applicant has amended independent claim 13 to make clear that the computerized method generates an initial skill-level rating for a member using the investment experience data for that member. The method receives a new target projection from that member, and the skill-level rating is adjusted according to the accuracy of the projection as compared to the actual value of the investment. The

method uses the skill-level rating to analyze and filter the target projections, and displays target projection information for other members. Advantageously, the method of claim 13 allows a member to filter and display investment information filtered by the current skill-level rating associated with other members. This enables a member to parse and analyze the investment information in ways not possible in known systems, including the systems described in the references cited by the Examiner.

For reasons similar to the remarks made in Section C(1), above, the applicant respectfully submits that amended claim 13 is not rendered obvious in view of the cited references. More specifically, the applicant submits that the Examiner will not be able to maintain a prima facie case of obviousness, as all the limitations of amended claim 13 cannot be found in any combination of the cited references. As described above, the applicant respectfully submits that the cited references do not have at least two of the limitations of amended claim 13, and therefore is not rendered obvious. Accordingly, the applicant believes that claim 13, and its dependent claims 14-18, are allowable over the cited art.

### 3. Independent Claim 19

The applicant has amended independent claim 19 to make clear that the computerized method adjusts a member's skill-level rating according to the accuracy of the projection as compared to the actual value of the investment. The method uses the skill-level rating to filter the investment data. Advantageously, the method of claim 19 allows a member to filter and use investment information filtered by the current skill-level rating associated with other members. This enables a member to parse and analyze the investment information in ways not possible in known systems, including the systems described in the references cited by the Examiner.

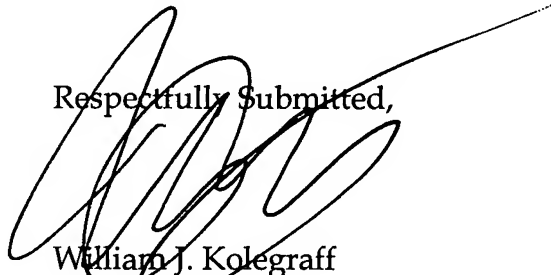
For reasons similar to the remarks made in Section C(1) and C(2), above, the applicant respectfully submits that amended claim 19 is not rendered obvious in view

of the cited references. More specifically, the applicant submits that the Examiner will not be able to maintain a prima facie case of obviousness, as all the limitations of amended claim 19 cannot be found in any combination of the cited references. As described above, the applicant respectfully submits that the cited references do not have at least two of the limitations of amended claim 19, and therefore is not rendered obvious. Accordingly, the applicant believes that claim 19 is allowable over the cited art.

#### D. Conclusion

For the above reasons, the applicant believes all claims are now in a condition for allowance. If the Examiner would find it useful, the Examiner is encouraged to contact the attorney of record identified below.

Respectfully Submitted,



William J. Kolegraff  
Reg. No. 41,125  
Attorney for Applicant  
3119 Turnberry Way  
Jamul, CA 91935  
Phone: 619-401-8008  
Fax: 619-401-0808